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Lawmakers push for federal prison oversight after reports of inadequate medical care

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Meg Anderson

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Sen. Dick Durbin, chairman of the Senate Judiciary Committee, called on the federal prison system to address its staffing crisis.

Mandel Ngan/AFP via Getty Images

Two key senators on the committee tasked with overseeing the nation's federal prisons are now urging the Bureau of Prisons to fix a medical care system that has

allowed people in its care to die preventable deaths.

Sens. Dick Durbin, D-Ill., and Chuck Grassley, R-Iowa, were responding to reporting from NPR showing that federal prisoners die from treatable conditions that are not diagnosed or treated in a timely way within the prison system.

"It is deeply upsetting that families are mourning the loss of their loved ones because they were not afforded the proper medical care they deserved while incarcerated," said Durbin, chairman of the Senate Judiciary Committee who also serves as the Senate's Majority Whip. "BOP must immediately prioritize correcting the ineffective, harmful standards and procedures used to determine when an incarcerated person will be seen by medical professionals."

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"I'm deeply alarmed by reports that the Bureau of Prisons has demonstrated foot dragging when it comes to providing medical care to those in its custody," said Grassley, also a member of the Judiciary Committee. "BOP needs to be held responsible for this failure and take action to raise its standards."

In response, a spokesperson for the BOP told NPR the bureau "appreciates the Senators' focus on this important issue" and is committed to continue working with them on oversight.

The comments come after an NPR investigation detailed numerous accounts of federal prisoners nationwide going without needed medical care. Many waited months or even years for treatment.



INVESTIGATIONS

1 in 4 inmate deaths happens in the same federal prison. Why?

In the course of its reporting, NPR found at least 4,950 people had died in BOP custody in roughly the last decade. Of those deaths, 1 in 4 occurred at a single place: the prison hospital within the federal correctional complex in Butner, N.C.

The investigation described a pipeline in which the BOP funnels the seriously ill to a prison hospital like the one at Butner, where it is expected they'll receive more intensive treatment. However, NPR documented multiple examples of substandard care there as well, including delays in treatment and mismanaged medications.

"Simply transferring incarcerated adults to new facilities in the hope that they will receive care, without adequately addressing the dire staffing issues or fortifying facility medical units, is not a solution," Durbin said.

The lawmakers specifically called for more independent supervision of the BOP, which operates with little transparency or oversight. For instance, until NPR published its investigation, the bureau stated on its website that it was accredited by the Joint Commission, which accredits the vast majority of U.S. hospitals, when in fact its certification had lapsed two years prior. The claim has since been deleted.

"I'm pushing to make the director of the Bureau of Prisons a Senate-confirmed position to ensure BOP is held accountable for its treatment of incarcerated

individuals," Grassley said. "I've inquired about reports of rife abuse in the past and continue to push for transparency in the federal prison system."

Several families of federal prisoners have also reached out to NPR since the investigation, claiming their loved ones are still not receiving the care they need behind bars.

Tiffani Reese Robinson says her fiance, Tyrone Hunter, who is at the Federal Correctional Institution in Otisville, N.Y., has been complaining of digestive issues and "excruciating pain" for years. Hunter had a portion of his intestines removed after a gunshot wound in 1989 and has had multiple surgeries since.

"He goes to the infirmary and tells them, 'I have pain. I have pain.' And they're like, 'Alright, enough. You complain about this every day. We don't want to hear it any more.' So they kind of just brush him off," she said. "It's like they're playing with his health. Nobody really cares."

Beverly Richardson is the mother of Mark Icker, who is at the low security prison in the Butner, N.C., complex. She says her son, who has a blood disorder called hereditary hemorrhagic telangiectasia among other conditions, has needed an aortic valve replacement surgery for nearly two years.

"I'm trying to ... get my son the help he needs before he dies on me. And I can't stand it. I can't sleep," she said. "These are human lives. These men have families. They have children, for God's sake."

A federal court has denied Mark Icker's requests for compassionate release, in part citing his "periodic follow-up visits with cardiac specialists and

cardiothoracic surgeons at highly regarded outside medical facilities, such as Duke Regional Hospital."

In another case, the father of a man at Butner's federal medical center, told NPR that his son, who is paraplegic, suffers from nearly constant urinary tract infections in prison. The father, whose first name is Roberto, requested that NPR not use his last name nor the name of his son for fear his son would be punished.

Before prison, Roberto told NPR his son lived with his mother, who washed him and helped him go to the bathroom. In prison, he says his son is bathed infrequently, and has waited at times more than a week. Once, Roberto said, his son fell in the shower trying to clean himself, and had to stay there for hours until other prisoners were able to get him back to his wheelchair.

Roberto said each time his son calls home, he tells him someone else at the prison has died.

"I understand that's the hospital where people should die because they are sick, right? But not so frequently," Roberto said. "They are not treated the same way normal people are treated in hospitals."

A spokesperson for the BOP declined to comment on individual cases, but said the bureau "provides essential medical, dental, and mental health services in a manner consistent with accepted community standards for a correctional environment."

In response to NPR's reporting, Sen. Durbin also called on the BOP to address what he referred to as a "staffing crisis" at the agency. Staffing shortages have been well documented for decades within the federal prison system, including in a September 2023 report that noted more than two-thirds of BOP facilities suffered a nursing shortage during the pandemic.

Robert Hood, a former warden who worked at the BOP for more than two decades, said he thinks the bureau's staffing issues have gotten worse in recent years.

"This obviously is the 'new BOP,' since this didn't occur at such a level during my tenure with the system," said Hood, who left the bureau in 2005. "Clearly, the critical lack of staff impacts the safety and security of federal prisons. Equally as important, the healthcare for 160,000 federal inmates is under fire... What a terrible situation for many offenders with medical issues."

In November, BOP director Colette Peters testified at a House oversight hearing that nearly 90% of the bureau's funded positions were filled this fall and that it has seen an increase in new hires, though healthcare staffing rates ranged from fully staffed to less than 50% at individual prisons.

"Recruitment and retention of our employees remain a challenge. Between the coronavirus pandemic, a change in our labor market, and our nation's changing views of law enforcement, we are faced with many difficulties," Peters said in a statement. "One of several pronounced areas of challenge is the hiring and retention of healthcare professionals. Our teams are collaborating to expand incentives to help meet this need."

Durbin also called for the expansion of compassionate release, which allows certain elderly or sick prisoners to end their sentences early, and home confinement, in which qualifying prisoners finish their sentences supervised at home. Both increased in the federal system during the pandemic.

"We can and should build on this momentum, which would allow incarcerated people better access to the medical care they need while keeping communities safe," he said.

Other lawmakers have pushed for more oversight in recent years as well. Sen. Jon Ossoff, D-Ga. – along with Sen. Mike Braun, R-Ind.; Sen. Joe Manchin, D-W.Va.; Sen. Shelley Capito, R-W.Va.; Sen. Tim Kaine, D-Va.; and Sen. Durbin – introduced a bill last spring that would create an independent ombudsman to investigate the health and safety of both federal prisoners and staff.

"More transparency and accountability will help create a safer environment for the correctional officers and staff who work in our federal prisons as well as the inmates incarcerated in them," Braun said when the bill was introduced.

"BOP has an obligation to ensure the health and safety of incarcerated individuals, employees, and visitors in its facilities," said Rep. Kelly Armstrong, R-N.D., who co-sponsored the House version of the bill.

Roberto, the father who didn't want to use his full name, said he felt it was important to speak out on behalf of his son.

"I'm doing this not only for my son, but for the rest of [the] people that are lying there suffering," he said. "If you committed a crime or you did something wrong, you have to pay for it. But not in such a way."

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